

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (CGM) SIPA LIQUIDATION (Substantively Consolidated)
In re BERNARD L. MADOFF, Debtor.	Adv. Pro. No. 10-04468 (CGM)
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. KEN-WEN FAMILY LIMITED PARTNERSHIP; KENNETH W. BROWN, in his capacity as a General Partner of the Ken-Wen Family Limited Partnership; and WENDY BROWN, in her capacity as a General Partner of the Ken-Wen Family Limited Partnership, Defendants.	

**AMENDED JOINT STIPULATION AND ORDER REGARDING BRIEFING
SCHEDULE ON (I) DEFENDANT’S MOTION FOR SUMMARY JUDGMENT,
(II) PLAINTIFF’S CROSS-MOTION FOR SUMMARY JUDGMENT AS TO
DEFENDANT KENNETH W. BROWN, AND (III) PLAINTIFF’S MOTION
FOR SUMMARY JUDGMENT AS TO DEFENDANT KEN-WEN
FAMILY LIMITED PARTNERSHIP**

Irving H. Picard, as trustee (“Trustee”) for the liquidation of Bernard L. Madoff
Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C.
§§ 78aaa–lll, substantively consolidated with the chapter 7 estate of Bernard L. Madoff
(“Madoff”), and defendant Ken-Wen Family Limited Partnership (“Ken-Wen”) and defendant

Kenneth W. Brown (“Defendant Brown” and together “Defendants,” and, collectively with the Trustee, the “Parties”), by and through the Parties’ undersigned counsel, state as follows:

WHEREAS on November 5, 2021, Defendant Kenneth W. Brown filed his *Motion for Summary Judgment* [Docket No. 174] (“Brown Motion”); and

WHEREAS on December 1, 2021, the Trustee filed the *Notice of (I) Opposition to Defendant Kenneth W. Brown’s Motion for Summary Judgment, (II) Cross Motion for Summary Judgment as to Defendant Kenneth W. Brown, and (III) Motion for Summary Judgment as to Defendant Ken-Wen Family Limited Partnership* [Docket No. 178] and the Trustee’s *(I) Objections, Responses, and Counterstatement of Material Facts to Defendant Kenneth W. Brown’s Motion for Summary Judgment and (II) Statement of Material Facts Pursuant to Fed. R. Civ. P. 56, Fed. R. Bankr. P. 7056 and Local Rule 7056-1 in Support of Trustee’s (A) Cross Motion for Summary Judgment as to Defendant Kenneth W. Brown and (B) Motion for Summary Judgment as to Defendant Ken-Wen Family Limited Partnership* [Docket No. 180];

NOW, THEREFORE, the Parties agree and stipulate to the following:

1. Defendant Ken-Wen shall file its opposition to the Trustee’s motion for summary judgment on or before January 21, 2022.
2. Defendant Brown shall file his reply in support of the Brown Motion, and his opposition to the Trustee’s cross-motion for summary judgment on or before January 21, 2022.
3. The Trustee shall file his reply to Defendant Ken-Wen’s opposition to the Trustee’s motion for summary judgment on or before February 4, 2022.
4. The Trustee shall file his reply to Defendant Brown’s opposition to the

Trustee's cross-motion for summary judgment on or before February 4, 2022.

5. The Parties shall appear for a hearing on the above-referenced motions on
February 16, 2022 at 10:00 A.M. (EST).

Dated: December 15, 2021
New York, New York

/s/ Michael S. Neiburg
Young Conaway Stargatt & Taylor, LLP
Matthew B. Lunn
Michael S. Neiburg (admitted *pro hac vice*)
Justin P. Duda
Rockefeller Center
1270 Avenue of the Americas, Suite 2210
New York, New York 10020
Telephone: (212) 332-8840
Facsimile: (212) 332-8855
Email: mlunn@ycst.com
mneiburg@ycst.com
jduda@ycst.com

*Attorneys for Plaintiff Irving H. Picard, Trustee for
the Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

/s/ Mark S. Roher
Law Office of Mark S. Roher, P.A.
1806 N. Flamingo Road, Suite 300
Pembroke Pines, Florida 33324
Telephone: (954) 353-2200
Facsimile: (877) 654-0090
Email: mroher@markroherlaw.com

Attorney for Defendant Kenneth W. Brown

/s/ David B. Bernfeld
David B. Bernfeld
Bernfeld, Dematteo & Bernfeld, LLP
54 N. Broadway, 3rd Floor
Tarrytown, New York 10591
Telephone: (212) 404-7003
Email: davidbernfeld@bernfeld-dematteo.com

*Attorney for Defendant Ken-Wen Family
Limited Partnership*

Dated: December 16, 2021
Poughkeepsie, New York



/s/ Cecelia G. Morris
Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge